

AMENDED IN ASSEMBLY APRIL 3, 2008
AMENDED IN ASSEMBLY MARCH 24, 2008
CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1818

Introduced by Assembly Member Fuentes

January 18, 2008

~~An act to add Section 12955.10 to the Government Code, and to An act to amend Section 50675.1 of the Health and Safety Code, relating to housing.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1818, as amended, Fuentes. Housing: veterans.

~~(1) The California Fair Employment and Housing Act makes it unlawful to discriminate against any person in any housing accommodation on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability. The act provides that it does not prohibit a religious or related society or organization from limiting the sale, rental, or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to those persons, unless membership in that religion is restricted on account of race, color, or national origin.~~

~~This bill would authorize a housing developer or a provider of rental housing who has received a loan or grant from the Department of Housing and Community Development or the California Housing Finance Agency, and whose housing is subject to rental or ownership restrictions imposed pursuant to the loan or grant, to limit, in whole or in part, the sale, rental, or occupancy of that housing to veterans, as~~

defined, or to grant preference to veterans regarding the sale, rental, or occupancy of the housing.

~~(2) Existing~~

Existing law establishes the Multifamily Housing Program under the administration of the Department of Housing and Community Development to provide a standardized set of program rules and features applicable to all housing types based on the department's California Housing Rehabilitation Program.

This bill would authorize the sponsor, as defined, of a ~~project~~ *supportive housing development* funded by the Multifamily Housing Program; to restrict occupancy of a ~~project~~ *the development* to veterans; ~~as defined~~, under specified circumstances.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 50675.1 of the Health and Safety Code
- 2 is amended to read:
- 3 50675.1. (a) This chapter shall be known and may be cited as
- 4 the Multifamily Housing Program.
- 5 (b) Assistance provided to a project pursuant to this chapter
- 6 shall be provided in the form of a deferred payment loan to pay
- 7 for the eligible costs of development as hereafter described.
- 8 (c) Except as provided in paragraph (3), on and after January
- 9 1, 2008, of the total assistance provided under this chapter, the
- 10 percentage that is awarded for units restricted to senior citizens,
- 11 as defined in paragraph (1) of subdivision (b) of Section 51.3 of
- 12 the Civil Code, shall be proportional to the percentage of lower
- 13 income renter households in the state that are lower income elderly
- 14 renter households, as reported by the federal Department of
- 15 Housing and Urban Development on the basis of the most recent
- 16 decennial census conducted by the United States Census Bureau.
- 17 (1) The department shall be deemed to have met its obligation
- 18 under this subdivision if the assistance awarded is not less than 1
- 19 percent below the proportional share.
- 20 (2) This subdivision does not require the department to provide
- 21 loans to projects that fail to meet minimum threshold requirements
- 22 under subdivision (b) of Section 50675.7.

(3) Assistance for projects meeting the definitions in paragraphs (2) and (3) of subdivision (e) of Section 11139.3 of the Government Code and subdivisions (c) and (d) of Section 53260 shall be excluded from the total assistance calculation under this subdivision.

(4) The department shall determine the time period over which it will measure compliance with this section, but that period shall not be less than one year or two funding cycles, whichever period is longer.

(5) If, at the end of the time period determined by the department, the total amount of funding for which sponsors have submitted qualified applications is lower than the proportional share, the department may award the remaining funds to units that are not restricted to senior citizens.

(6) The department's annual report to the Legislature submitted under Section 50408 shall include a breakdown of funding awards between units restricted to senior citizens and units that are not age-restricted.

(d) This chapter shall be administered by the department and the department shall establish the terms upon which loans may be made consistent with the provisions of this chapter.

(e) Notwithstanding any other provision of law, the sponsor of a supportive housing development, as defined in subdivision (b) of Section 50675.14, may restrict occupancy to veterans, if all of the following conditions apply:

(1) The veterans to be served possess significant barriers to social reintegration and employment that require specialized treatment and services and are due to a physical or mental disability, substance abuse, or the effects of long-term homelessness.

(2) The sponsor also provides, or assists in providing, the specialized treatment and services.

(3) The development is located on property that is owned by the United States Department of Veterans Affairs and is leased to the sponsor for a term of not less than 55 years.

(4) The development meets all other requirements for assistance under this chapter and would have rated or ranked highly enough to receive that assistance without the occupancy restriction.

~~SECTION 1. Section 12955.10 is added to the Government Code, to read:~~

1 ~~12955.10. (a) Notwithstanding this part and Section 11135, a~~
2 ~~housing developer or a provider of rental housing who has received~~
3 ~~a loan or grant from the Department of Housing and Community~~
4 ~~Development or the California Housing Finance Agency, and~~
5 ~~whose housing is subject to rental or ownership restrictions~~
6 ~~imposed pursuant to the loan or grant, may limit, in whole or in~~
7 ~~part, the sale, rental, or occupancy of that housing to veterans, or~~
8 ~~may grant preference to veterans regarding the sale, rental, or~~
9 ~~occupancy of the housing.~~

10 ~~(b) For the purposes of this section, “veteran” means a person~~
11 ~~who has served for 90 consecutive days or more in the Armed~~
12 ~~Forces of the United States and has been discharged under other~~
13 ~~than dishonorable conditions from that service.~~

14 ~~SEC. 2. Section 50675.1 of the Health and Safety Code is~~
15 ~~amended to read:~~

16 ~~50675.1. (a) This chapter shall be known and may be cited as~~
17 ~~the Multifamily Housing Program.~~

18 ~~(b) Assistance provided to a project pursuant to this chapter~~
19 ~~shall be provided in the form of a deferred payment loan to pay~~
20 ~~for the eligible costs of development as hereafter described.~~

21 ~~(c) Except as provided in paragraph (3), on and after January~~
22 ~~1, 2008, of the total assistance provided under this chapter, the~~
23 ~~percentage that is awarded for units restricted to senior citizens,~~
24 ~~as defined in paragraph (1) of subdivision (b) of Section 51.3 of~~
25 ~~the Civil Code, shall be proportional to the percentage of lower~~
26 ~~income renter households in the state that are lower income elderly~~
27 ~~renter households, as reported by the federal Department of~~
28 ~~Housing and Urban Development on the basis of the most recent~~
29 ~~decennial census conducted by the United States Census Bureau.~~

30 ~~(1) The department shall be deemed to have met its obligation~~
31 ~~under this subdivision if the assistance awarded is not less than 1~~
32 ~~percent below the proportional share.~~

33 ~~(2) This subdivision does not require the department to provide~~
34 ~~loans to projects that fail to meet minimum threshold requirements~~
35 ~~under subdivision (b) of Section 50675.7.~~

36 ~~(3) Assistance for projects meeting the definitions in paragraphs~~
37 ~~(2) and (3) of subdivision (c) of Section 11139.3 of the Government~~
38 ~~Code and subdivisions (c) and (d) of Section 53260 shall be~~
39 ~~excluded from the total assistance calculation under this~~
40 ~~subdivision.~~

1 ~~(4) The department shall determine the time period over which~~
2 ~~it will measure compliance with this section, but that period shall~~
3 ~~not be less than one year or two funding cycles, whichever period~~
4 ~~is longer.~~

5 ~~(5) If, at the end of the time period determined by the~~
6 ~~department, the total amount of funding for which sponsors have~~
7 ~~submitted qualified applications is lower than the proportional~~
8 ~~share, the department may award the remaining funds to units that~~
9 ~~are not restricted to senior citizens.~~

10 ~~(6) The department's annual report to the Legislature submitted~~
11 ~~under Section 50408 shall include a breakdown of funding awards~~
12 ~~between units restricted to senior citizens and units that are not~~
13 ~~age-restricted.~~

14 ~~(d) This chapter shall be administered by the department and~~
15 ~~the department shall establish the terms upon which loans may be~~
16 ~~made consistent with the provisions of this chapter.~~

17 ~~(e) (1) Notwithstanding any other provision of law, the sponsor~~
18 ~~of a project may restrict occupancy to veterans, if the veterans to~~
19 ~~be served possess significant barriers to social reintegration and~~
20 ~~employment that require specialized treatment and services and~~
21 ~~are due to a physical or mental disability, substance abuse, or the~~
22 ~~effects of long-term homelessness, and the sponsor also provides,~~
23 ~~or assists in providing, the specialized treatment and services.~~

24 ~~(2) For the purposes of this subdivision, "veteran" means a~~
25 ~~person who has served for 90 consecutive days or more in the~~
26 ~~Armed Forces of the United States and has been discharged under~~
27 ~~other than dishonorable conditions from that service.~~